

REMARKS

Claims 1-5 are pending in this application. By this Amendment, claims 1-5 and the specification are amended. Support for the amendments may be found, for example, in the specification and claims as originally filed. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Information Disclosure Statement

An Information Disclosure Statement with Form PTO-1449 was filed in the above-captioned patent application on June 16, 2006. The initialed copy of the PTO-1449 attached to the Office Action fails to acknowledge consideration of the reference numbered "1." Accordingly, the Examiner is requested to initial and return to the undersigned a copy of the subject Form PTO-1449 acknowledging consideration of the reference numbered "1."

II. Claim Objections

The Office Action objects to claim 1 for an informality. Claim 1 is amended according to the Examiner's helpful suggestion. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

III. Rejections Under 35 U.S.C. §102

A. WO 2004/061525/US 2006/0234154

The Office Action rejects claims 1-5 under 35 U.S.C. §102(a) over WO 2004/061525, which corresponds to U.S. Patent Application Publication No. 2006/0234154 to Nishimura et al. Applicants respectfully traverse the rejection.

WO 2004/061525 is not available as prior art against the instant claims. The present application is the national phase of International Application No. PCT/JP2004/018944, filed December 17, 2004, and claims priority benefit of JP 2003-421704, filed December 18, 2003. Submitted herewith is, upon information and belief, an accurate translation of JP 2003-

421704. As is evident from the translation of JP 2003-421704 attached hereto, the pending claims are fully supported by JP 2003-421704. Accordingly, the pending claims are entitled to the benefit of the December 18, 2003 filing date of JP 2003-421704.

WO 2004/061525 was published on July 22, 2004. As WO 2004/061525 was published after the December 18, 2003 effective filing date of the present application, WO 2004/061525 is not available as prior art against the present application under 35 U.S.C. §102(a) or §102(b).

For the foregoing reasons, WO 2004/061525 is not available as prior art against the instant claims. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

B. JP 2004-210917

The Office Action rejects claims 1–5 under 35 U.S.C. §102(a) over JP 2004-210917. Applicants respectfully traverse the rejection.

JP 2004-210917 is not available as prior art against the instant claims. JP 2004-210917 was published on July 29, 2004. As JP 2004-210917 was published after the December 18, 2003 effective filing date of the present application (as discussed above), JP 2004-210917 is not available as prior art against the present application under 35 U.S.C. §102(a) or §102(b).

For the foregoing reasons, JP 2004-210917 is not available as prior art against the instant claims. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JRB

Attachments:

Substitute Abstract
English-language translation of JP 2003-421704

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